

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

DEREK DEYOUNG,
a resident of Michigan,

Plaintiff,

Case No.: 1:20-cv-549

v.

Hon. Robert J. Jonker

DOES 1-10,

Defendants.

ORDER OF PERMANENT INJUNCTION

This matter came before the Court on the stipulation of Plaintiff Derek DeYoung and Defendants Royce Ware, LLC and Tien Dung Do (“Defendants”) (collectively, the “Parties”), and, by and through that stipulation, the Court finds the following:

1. The Court has subject matter jurisdiction over the Defendants pursuant to 17 U.S.C. § 411, 28 U.S.C. § 1338(a) and (b), 28 U.S.C. § 1331, and 15 U.S.C. § 1121;
2. The Court has supplemental jurisdiction over Plaintiff’s state-law claims under 28 U.S.C. § 1337(a);
3. By stipulation and solely as it relates to this Order of Permanent Injunction, Defendants agree to this Court’s personal jurisdiction;

By its consent, Defendants waive the entry of findings of fact and conclusions of law and agree to the entry of this Permanent Injunction. Therefore, it is hereby **ORDERED** that Defendants and their respective officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with them having notice of this Order are hereby permanently enjoined and restrained:

1. From reproducing, preparing derivative works of, distributing copies of, and displaying publicly Plaintiff DeYoung's Abstract Bass Flank work (US Copyright Reg. No. VA 1-970-688);
2. Defendants, their respective officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with them having notice of this Order shall immediately discontinue the use of the Abstract Bass Flank work on or in connection with the sale of goods and all internet websites owned and operated or controlled by them;
3. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing Plaintiff DeYoung's DEYOUNG trademark; and
4. Defendants, their officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with them having notice of this Order shall immediately discontinue the use of the DEYOUNG trademark or any confusingly similar trademark on or in connection with the sale of goods and all internet websites owned and operated or controlled by them.

IT IS SO ORDERED.

Date

Hon. _____ US District
Court Judge